REMARKS

Applicants requests reconsideration and allowance of the present application in view of the foregoing amendments and the following remarks.

Claims 1, 4-6, and 9-15 are pending. Claims 1, 6, and 15 are the independent claims.

Claims 1, 4-6, 9, 10, and 15 have been amended. Claims 5 and 10 have been amended to change their dependencies.

Claim 15 is rejected under the first paragraph of 35 U.S.C. § 112. This rejection is respectfully traversed.

The Office Action asserts that "capturing an image of an unknown payment type form" is subject matter that was not described in the specification at the time the application was filed. (Office Action, page 3).

Independent claim 15 has been amended to recite, _inter_ _alia_, capturing an image of a payment form of unknown type.

In response, attention is respectfully directed to page 7, line 25 of the Specification, which describes a form that is placed on a scan bed of an image scanner. (See also Fig. 1). The image of the form is read and sent to a processing device. (Specification, page 7, lines 26 and 27, and Fig. 1). After the image is acquired, a CPU starts to retrieve recognition categories and configuration rules from a search rule table and starts to search the read image. (Specification, page 12, lines 5-9 and Fig. 6). Next, a numerical string taken from the configuration rules is used as an account number. (Specification, page 13, lines 4-8 and Fig 7). Then, it is determined whether the account number actually exists. If the account number exists, then there is a determination of whether a corresponding form exists. (Specification, pages 14 and 15 and Fig. 8). Thus, the Specification describes a method of determining a type of payment form, from a captured image of a payment form of unknown type. Therefore, one skilled in the art would reasonably conclude that the inventor had possession of the claimed invention because the Specification describes the claimed invention in sufficient detail. (MPEP 2163(I)).

In addition, the Applicants throughout call for "discriminating" or "identifying" a form type. Thus, it would be understood by a person skilled in the art that before a form type is identified it is a form of an unknown type.

Therefore, it is respectfully submitted that independent claim 15 satisfies the requirements of 35 U.S.C. § 112, first paragraph.

Accordingly, Applicants respectfully request favorable reconsideration and withdrawal of the rejection of claim 15 under the first paragraph of 35 U.S.C. § 112.

Claims 1, 4, 6, 9, and 15 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,885,769 (Morita et al.). Claims 5, 10, 11, and 13 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,885,769 (Morita et al.) in view of U.S. Patent No. 6,363,362 (Burfield). Claims 12 and 14 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,885,769 (Morita et al.) in view of U.S. Publication 2002/0073060 (Geisel). All rejections are respectfully traversed.

Regarding the rejection of claims 1, 4, 6, 9, and 15 under 35 U.S.C. § 102(e) as being anticipated by Morita et al., independent claims 1 and 6 recite, inter alia, discriminating the type of form based on the searched payee account number.

Independent claim 15 recites, inter alia, determining the payment form type using the account number.

By at least the aforementioned features, the claimed invention determines a type of an unknown or undiscriminated form by using the account number captured from the form. Stated another way, it discriminates the type of form based on the searched payee account number.

However, Applicant respectfully submits that Morita et al. does not teach at least the aforementioned features of these independent claims.

Morita et al. relates to a business form handling method and system. Morita et al. discusses a system that reads in a business form and decides whether the read image can be referenced to information previously stored on a known business form. (Morita et al., Abstract, Col. 12 Lines 35-46). To determine where to look for an account number on the business form, a form type must be found first. The form type is recognized through a form ID, bar code, MT-type, or MICR-orientated characters of a prescribed-type business form. When the form type is recognized through a matching process, images in fields previously designated by business-form format definition information corresponding to the prescribed-type business form are cut, which includes characters (e.g. account number), symbols and the like. These characters, symbols, and the like located in the cut fields under go a recognition process by a character recognition processing sub module. Thereafter, results of the recognition of the account number can be obtained. (Morita et al., Col. 13 Lines 17-43, Col. 14 Lines 5-55, Col. 15, Lines 1-18, Col 16 Lines 17 to Col. 17 Line 11 and Figs. 8-14). Stated another way, for example, once a form ID is found, the account number is recognized at a pre-determined position on the image. Therefore, Morita et al. requires that the form information be at a specific location on the form. Thus, Morita et al. performs a process that is essentially the opposite of the claimed invention.

Therefore, <u>Morita et al.</u> does not teach the aforementioned features of independent claims 1, 6, and 15. Claim 4 depends from independent claim 1 and claim 9 depends from independent claim 6.

Furthermore, regarding the rejection of dependent claims 4 and 9 under 35 U.S.C. § 102, dependent claim 4 recites, <u>inter</u> <u>alia</u>, recognizing a plurality of account numbers on the payment form, and merging a plurality of results which have been recognized to determine the payee account number. Dependent claim 9 recites similar features as dependent claim 4.

By at least the aforementioned features, when multiple account numbers are found on the form, then the results, which are recognized account numbers, will be merged to determine the payee account number.

However, Applicants respectfully submit that <u>Morita et al.</u> does not teach the aforementioned features.

As discussed above, <u>Morita et al.</u> relates to a business form handling method and system, where, for example, the form ID is required to recognize the account number at a predetermined position. Therefore, <u>Morita et al.</u> does not teach merging the plurality of account numbers that have been recognized as the payee account number, as recited in claims 4 and 9.

Thus, it is respectfully submitted that claims 1, 4, 6, 9, and 15 patentably distinguish over <u>Morita et al.</u>

Furthermore, amended independent claims 1 and 6 recite, <u>inter</u> <u>alia</u>, searching for the payee account number in the image in accordance with an account number searching rule, and recognizing said payee account number in accordance with said account number searching rule in a searching table which registers recognition categories and regularities regarding a character string from the acquired image to search the account number in an unknown position.

Amended independent claim 15 recites, <u>inter</u> <u>alia</u>, searching for and determining an account number in the unknown position of the payment form of the unknown type in the image.

By at least the aforementioned features, amended independent claims 1, 6, and 15 further clarify that the claimed invention determines a type of an unknown or undsicriminated form by using the account numbers regardless of where the account number is located on a form image. Therefore, the form can be identified more quickly and more accurately.

Therefore, it is respectfully submitted that <u>Morita et al.</u> does not teach the aforementioned features of amended independent claims 1, 6, and 15. Claim 4 depends from independent claim 1 and claim 9 depends from independent claim 6 and therefore, inherits their respective base claims patentable features.

Regarding the rejection of claims 5 and 10-14 under 35 U.S.C. § 103(a) as being unpatentable over various combinations of <u>Morita et al.</u>, <u>Burfield</u>, and <u>Geisel</u>, neither <u>Burfield</u> or

<u>Geisel</u> cure the deficiencies of <u>Morita et al.</u> Therefore, it is respectfully submitted that dependent claims 5 and 10-14 also patentably distinguish over <u>Morita et al.</u>

In view of the foregoing, Applicants respectfully submit that the independent claims patentably define the present invention over the citations of record. Further, the dependent claims should also be allowable for the same reasons as their respective base claims and further due to the additional features that they recite. For example, claim 4. Separate and individual consideration of the dependent claims is respectfully requested.

Applicants believe that the present Amendment is responsive to each of the points raised by the Examiner in the Official Action. However, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to such matters.

Applicants submit that the claim amendments presented in this Amendment under 37 C.F.R. §1.116 are intended merely to overcome the rejections under 35 U.S.C § 112 and to further clarify the patentable features of the claimed invention. This Amendment was not earlier presented because Applicants believed that the prior Amendment placed the subject application in condition for allowance. Accordingly, entry of the instant Amendment, as an earnest attempt to advance prosecution and to reduce the number of issues, is requested under 37 C.F.R. §1.116.

There being no further outstanding objections or rejections, it is submitted that the present application is in condition for allowance. An early action to that effect is courteously solicited.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Date: <u>June 30, 2006</u>   By: <u>/J. Randall Beckers/</u>
                                           J. Randall Beckers
                                           Registration No. 30,358

1201 Previously presented York Ave, N.W., 7th Floor
Washington, D.C. 20005
Telephone: (202) 434-1500
Facsimile: (202) 434-1501